

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Dairiki et al.
Serial No. 10/523,106
Filed: February 3, 2005



Confirmation No. 7579
Attny. Docket No. 46242
Group Art Unit: 1609
Examiner: Sullivan, D.

For: GRANULATED PESTICIDAL COMPOSITION

TRANSMITTAL OF RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims	5	-	20	0	52.00	\$0
<i>(Small Entity)</i>					<i>(26.00)</i>	
Independent claims	1	-	3	0	220.00	\$0
<i>(Small Entity)</i>					<i>(110.00)</i>	
Multiple Dependent	0	-	0	0	390.00	\$0
<i>(Small Entity)</i>					<i>(195.00)</i>	
Extension of Time	One Month		Two Months	Three Months	Four Months	
Fee	\$130		\$490	\$1,110	\$1,730	\$0
<i>(Small Entity)</i>	<i>(\$65)</i>		<i>(\$245)</i>	<i>(\$555)</i>	<i>(\$865)</i>	
IDS						\$0
Total						\$0

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. **CUSTOMER NO. 20736**

Respectfully submitted,

Paul E. White, Jr.
Reg. No. 32,011
Tel. No. 202-261-1050
Fax No. 202-887-0336

Date: **December 10, 2008**

Manelli Denison & Selter, PLLC
2000 M Street, N.W.
Suite 700
Washington, D.C. 20036-3307
202.261.1000

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In re Patent Application of
DAIRIKI et al.

Confirmation No. 7579
Atty Docket. No. 46242

Application No. 10/523,106
Application Filed: February 3, 2005

Group Art Unit: 1616
Examiner: Danielle Sullivan

Title: GRANULATED PESTICIDAL COMPOSITION

* * * * *

December 10, 2008

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 11, 2008, please consider the applicant's following remarks.

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-5 are pending in this application.

The applicant notes that the Second Preliminary Submission (with technical reference) filed September 10, 2008 in this application, was not entered. Accordingly, the applicant respectfully requests that the aforementioned Second Preliminary Submission be entered and considered together with the present response.

The applicant respectfully traverses the rejection of claims 1 and 2 under 35 USC 103(a) over Suwa et al. in view of Nakayama et al. and Stuart. The cited references taken alone or in combination do not make the presently claimed invention to be obvious.

The Office Action states the following at page 4, second full paragraph:

"It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Suwa et al. and Stuart to